

Defendant.

X

S2 22 Cr. 497 (GHW)

WHEREAS, on or about August 16, 2023, the Defendant pled guilty to Count Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count Three of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), a sum of money equal to

\$603,865.93 in United States currency, representing the proceeds traceable to the commission of the offense charged in Count Three of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$603,865.93 in United States currency, representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with co-defendants Johntae Byrd (“Byrd”) to the extent of the forfeiture money judgment that was entered against Byrd on February 23, 2023, and with Jalahni Reddick (“Reddick”) who was charged in case number 22 Cr. 680 (GHW), to the extent of the forfeiture money judgment that was entered against Reddick on December 13, 2022 in that case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Alexandra S. Messiter, of counsel, and the Defendant and his counsel, Kathleen E. Cassidy, Esq. and Michael D. Manzo, Esq., that:

1. As a result of the offense charged in Count Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$603,865.93 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with Byrd to the extent a forfeiture money judgment is entered against Byrd in this case, and with Reddick, in case number 22 Cr. 680 (GHW), to the

extent of the forfeiture money judgment that was entered against Reddick on December 13, 2022 in that case, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant LARRY BRAND, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.


6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

ALEXANDRA S. MESSITER
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2544


8/10/23
DATE

LARRY BRAND

By: 

LARRY BRAND


8.16.23
DATE

By: 

KATHLEEN E. CASSIDY, ESQ.
MICHAEL D. MANZO, ESQ.
Attorneys for Defendant
565 Fifth Avenue
New York, NY 10017

8/16/23
DATE

SO ORDERED:



HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE

August 16, 2023
DATE